

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

VIVIAN BERT, et al., :  
 :  
 Plaintiffs, :  
 vs. : Case No. C-1-02-467  
 : (Mag. Judge Hogan)  
 AK STEEL CORPORATION, :  
 :  
 Defendant. :  
 -----

Deposition of: RONALD E. SLOAN, JR.  
Taken: By the Defendant  
Date: Tuesday, April 24, 2007  
Time: Commencing at 11:00 AM  
Place: Taft, Stettinius & Hollister  
1800 US Bank Center  
425 Walnut Street  
Cincinnati, Ohio 45202-3957  
Before: Tracy L. Allen, RPR  
Notary Public - State of Ohio

## 1 APPEARANCES:

2 On behalf of the Plaintiffs:

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15 On behalf of the Defendant:

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22 Also present:

23 Tracy White - AK Steel.

24 - - -

## 25 I N D E X

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## E X H I B I T S

Exhibit No. Marked

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1 RONALD E. SLOAN, JR.  
2 being by me first duly cautioned and sworn, deposes  
3 and says as follows:

4 CROSS-EXAMINATION

5 BY MS. PRYOR:

6 Q. Mr. Sloan, could you state your full  
7 name for the record, please.

8 A. Ronald E., Eugene, Sloan, Junior.

9 Q. And is your wife named Tricia Sloan?

10 A. Trica. No I. No second I.

11 Q. No second I. T-r-i-c-a then?

12 A. Correct.

13 Q. And have you taken any medications  
14 today?

15 A. No.

16 Q. Have you not taken any medications  
17 that you should have that you normally would take?

18 A. (Shaking head.)

19 Q. Is there any reason that your  
20 testimony today would not be truthful or that would  
21 prevent you from recalling or remembering things  
22 today?

23 A. No.

24 Q. Okay. Your current address, is that  
25 206 Webster Street?

1 A. Apartment 2A.

2 Q. That's Middletown, Ohio?

3 A. Correct.

4 Q. Okay. What is your highest level of  
5 education?

6 A. I have a year plus of college.

7 Q. A year plus of college?

8 A. Uh-huh.

9 Q. What did you study in college?

10 A. I was in the engineering program, but  
11 I never got into engineering studies obviously by the  
12 amount of time I was there. Direct engineering  
13 studies I should say, but I was in the electrical  
14 engineering program.

15 Q. And you do not hold a degree from  
16 college?

17 A. No, I do not.

18 Q. Okay. Could you just take me through  
19 kind of your employment history prior to August 2001.

20 A. I worked for Procter and Gamble for  
21 five years. Started working with them in October of  
22 '96. During that time I also worked part time for  
23 Bachrack Men's Clothing for about a year and a few  
24 months from 10/96 until -- was it '98 I believe?  
25 But, again, it was just part-time employment. And

1 prior to that I'd been in the U.S. Navy for six years  
2 from 1990 to 1996.

3 Q. And what did you do in the navy?

4 A. I was an electronics technician.

5 Q. What does that mean?

6 A. I am responsible for the maintenance,  
7 both preventative and corrective, of communications  
8 equipment and encryption equipment.

9 Q. And from there you went -- you were  
10 honorably discharged?

11 A. Correct.

12 Q. And did you go right to P and G after  
13 the navy?

14 A. There was about a two-month stint that  
15 I was unemployed.

16 Q. Okay. What did you do for P and G?

17 A. I initially worked as a -- I was a  
18 research associate. I initially worked in a facility  
19 that was what we called downstream research and  
20 development. We qualified upgrades to diaper  
21 converters in the diaper plants.

22 I did that assignment for about two  
23 and a half, two and three-quarters years. And then I  
24 took a position that was actually titled quality  
25 control technician but what I was was basically a

1 general manager in a prototype design facility. And  
2 we made limited base consumer testing diapers.

3 Q. You say you were the general manager.  
4 What did you do that was --

5 A. I interacted with Procter and Gamble  
6 researchers who were assigned to actually produce a  
7 certain number of these diapers. I was responsible  
8 for setting up the job, allotting the personnel, cost  
9 control, quality. Basically the entire scope of the  
10 project from start to finish within our design  
11 center.

12 Q. Did you have supervisory authority?

13 A. Yes, I did. I was in charge of the  
14 contractors that were allotted to me or that I deem  
15 necessary to complete the job as well as I was the  
16 safety manager for that entire facility for both P  
17 and G and contract personnel.

18 Q. Did employees report to you?

19 A. The only employees, P and G employees,  
20 that reported to me were those of under the  
21 guidelines of the safety program.

22 Q. Okay. Why did you leave P and G?

23 A. I accepted a separation during a  
24 downsizing of the company in 2001.

25 Q. It was a voluntary separation?

1 A. Yes, it was.

2 Q. Did you -- I assume you received some  
3 kind of severance package?

4 A. Correct.

5 Q. What was the package?

6 A. The total amount I believe was between  
7 15 and 20,000. I can't remember exact number.

8 Q. Was that cash? Was it benefits? Was  
9 it --

10 A. No. I had that year reached my  
11 vestment period with regard to my stock and that  
12 20,000 was actual lump sum payment.

13 Q. Okay.

14 A. Or, again, 15 to 20. I can't remember  
15 exact number, but that was lump sum payment. And we  
16 received benefits coverage I believe for 90 days  
17 after we left. And that was the extent of any  
18 coverages that I had.

19 Q. Did you get any outplacement services  
20 or --

21 A. No.

22 Q. Why did you choose to accept that  
23 separation instead of staying? I assume you could  
24 have stayed?

25 A. Yes.



1 Q. Why did you choose to separate?

2 A. I just thought it was going to be best  
3 for my career goals at that point to separate from  
4 the company. I felt like I was going to be somewhat  
5 limited in the position I was in.

6 Q. What were your career goals?

7 A. Just to move up higher in management.  
8 I felt that I had reached a level that I should have  
9 been promoted to the next technical level, a level of  
10 performance that I should have been promoted to the  
11 next technical level. And I had been passed by for a  
12 couple of years so I just thought it was in my best  
13 interest.

14 Q. Okay. Did you receive any tuition  
15 retraining allowance?

16 A. No.

17 Q. Did you sign up with the company  
18 called RL Stevens and Associates?

19 A. Yes, I did.

20 Q. And that was in August of 2001?

21 A. Uh-huh.

22 Q. What did you sign up with them to do?

23 A. They were a career search management  
24 firm. Basically, they worked with individuals on  
25 trying to find them the position that they would

1 really like based on their skill set, based on  
2 individuals that they know. Effectively show you how  
3 to network within your own microcosm, if you will, to  
4 attain the information to get interviews with the  
5 companies you're interested in.

6 Q. Did they help set up interviews with  
7 companies?

8 A. No. They do not set up interviews.  
9 In a nutshell, they arm you to be prepared for the  
10 interview. It's your responsibility to set up the  
11 interview.

12 Q. Okay. And that was not connected at  
13 all with the severance package you received from P  
14 and G?

15 A. Only in the sense that I paid for the  
16 fee, if you will, with RL Stevens with money from  
17 that package.

18 Q. Did they move you toward a particular  
19 career? Do they help you decide on a --

20 A. No. What you do is you basically  
21 state what category fields you're interested in. And  
22 they try to help you focus in on what would be best  
23 to get a position within those fields.

24 Q. You ended up suing RL Stevens?

25 A. That's correct.

1 Q. Why did you do that?

2 A. Toward the -- what they offer are a  
3 few different packages. I elected to go with a five-  
4 year package, which includes initially getting you  
5 into a company or assisting you in getting into a  
6 company. And they will also help you with regard to  
7 methods of progressing within that company.

8 I had never, during the duration that  
9 I had been working with them, really reached a  
10 position that I felt I was interested in and that I  
11 indicated to them in the initial discussions.

12 So as a result, I had been working  
13 some part-time jobs in the meantime just to make ends  
14 meet. And I would contact them periodically when I  
15 was ready to resume my search when I had some new  
16 ideas that I felt were in line with what we were  
17 doing.

18 We reached a point where I was  
19 contacting them and I wasn't getting any responses  
20 back from the people that had been assigned to me. I  
21 had called back and tried to speak to managers about  
22 that and hadn't been receiving return calls.

23 And it just got to a point where I  
24 didn't feel I was receiving the service for the fee  
25 that I had paid for the duration that I had paid.

1 Q. Did you obtain a judgement against  
2 them?

3 A. The small claims court judge, she made  
4 a decision if that's what you're asking.

5 Q. Did you receive some money as a result  
6 of that?

7 A. Yes. A portion of the remaining -- a  
8 prorated portion of the fee.

9 Q. Okay. Now, you applied for a position  
10 at AK Steel. Correct?

11 A. Uh-huh.

12 (Defendant's Exhibit 1  
13 was marked for identi-  
fication.)

14 Q. You've been handed what's been marked  
15 as Sloan Deposition Exhibit Number 1.

16 A. Okay.

17 Q. Is that a copy of the application that  
18 you used to apply?

19 A. Yes, it is.

20 Q. Did you only apply one time?

21 A. Yes.

22 Q. This is the only application you  
23 completed?

24 A. Correct.

25 Q. And is that your handwriting

1 throughout the document?

2 A. Yes, it is.

3 Q. Is that your signature at the bottom  
4 of the last page?

5 A. Yes, it is.

6 Q. Is August 28th, 2001 the date that you  
7 applied?

8 A. Yes.

9 Q. And you understood when you made this  
10 application, you signed it, that you were certifying  
11 that everything on it was true?

12 A. Correct.

13 Q. You understood that if anything were  
14 found to be incomplete or incorrect, you might not be  
15 hired or you might be terminated if you were already  
16 employed?

17 A. Correct.

18 Q. Was everything on here true?

19 MS. DONAHUE: Look at it carefully.

20 A. I don't recall the tuition retraining  
21 allowance, but if I wrote it, I guess there was, but,  
22 by memory, I don't recall one. But, again, that was  
23 2001. Six years ago.

24 I'm going to assume that must have  
25 been something that was a repayment type benefit if

1 used because I never used it for any retraining.

2 Q. You talking about the tuition --

3 A. Yeah.

4 Q. -- retraining allowance?

5 A. Yeah. On the second page where it  
6 says "Describe any definite plans for further study."

7 Q. You don't recall receiving that, but  
8 you're assuming you did if it's on here?

9 A. As a benefit, yeah. If I wrote it  
10 down, I'm assuming that it was available, but I  
11 don't -- there was no retraining that I did that I  
12 would have actually used those monies, that I could  
13 think of.

14 Q. Were you planning on using it? I  
15 mean, why did you write that?

16 MS. DONAHUE: Object to the form.

17 Compound sentence.

18 A. I may have if I thought it would have  
19 been applicable for the position that I was going  
20 for, but outside of that, I don't remember any plans  
21 to specifically use it.

22 Q. Okay. Everything else --

23 A. Everything else appears to be correct,  
24 as I remember.

25 Q. Okay. Now one of the positions on

1 here is Arlington National Mortgage, which you didn't  
2 mention earlier. Is that another part-time position  
3 that you had?

4 A. Yes. And more or less, I was just  
5 learning the mortgage industry from a loan officer  
6 perspective. The entire time I was there I only  
7 closed one loan.

8 Q. And it says Rate of earnings, not  
9 applicable. Only commission.

10 A. Correct. It's commission only.

11 Q. Okay. And you were applying for a  
12 management position at AK?

13 A. Correct. Management or production.

14 Q. Or technical?

15 A. Correct.

16 Q. Your preference was management, but  
17 you state you will accept labor or technical?

18 A. Correct.

19 Q. Who told you to apply at AK Steel?

20 A. I have three personal friends who told  
21 me that they were hiring.

22 Q. Who are they?

23 A. Gardner Sorrell, Aaron Burgess, Rodney  
24 Heard, H-e-a-r-d. All three were employees at the  
25 time.

1 Q. What race are they?

2 A. Gardner is white. The other two are  
3 black.

4 Q. They told you that AK was hiring?

5 A. Yes.

6 Q. Did they tell you what positions they  
7 were hiring for?

8 A. They didn't say specifically. They  
9 just asked me what was I interested in, and I told  
10 them.

11 Q. How did you apply? Where did you go  
12 to get the application?

13 MS. DONAHUE: Object to the form.

14 Compound.

15 A. They actually brought me applications  
16 after me giving them my resume. From that point  
17 forward I don't know what happened. I just entrusted  
18 they handed them to the appropriate personnel.

19 Q. Who's "they"?

20 A. Those three gentlemen.

21 Q. You handed your application to all  
22 three of these gentlemen?

23 A. To Gardner, actually.

24 Q. Okay.

25 A. Gardner is a manager. The other two



1 are laborers.

2 Q. So Gardner brought you an application.  
3 You filled it out and gave it back to him?

4 A. I believe so.

5 Q. Why did you not provide Richard  
6 Moore's phone number on the reference list?

7 A. At the time I probably just didn't  
8 have it. That's all. He's been a personal friend my  
9 entire life, so there's no specific reason not to  
10 include it if that's what you're saying.

11 Q. After you applied did someone call you  
12 from AK Steel and ask you to come in and take the  
13 test?

14 A. Yes.

15 Q. And you came in and took the test on  
16 October 20th, 2001?

17 A. Correct.

18 Q. Do you know who called you in to take  
19 the test?

20 A. No.

21 Q. What did they tell you when they  
22 called?

23 A. That they were going to be giving a  
24 test on a Saturday morning. I had made it that far  
25 into the process. That I really needed to show up

1 with nothing. Everything would be provided.

2 Q. And you showed up?

3 A. Correct.

4 Q. Where did you go to take the test?

5 A. At the AK Steel facility. There are  
6 three small buildings. I don't know the gate names,  
7 but it's the gate that's nearest the MidFirst Credit  
8 Union branch.

9 I went in and went around, went across  
10 the tracks. There are three similar buildings next  
11 to each other. And took it in the basement of one of  
12 them.

13 Q. Do you know about how many people took  
14 the test with you?

15 A. If I had to estimate, somewhere  
16 between 25 and 30.

17 Q. Were you told anything at the test?

18 A. Basically, the biggest thing that I  
19 remember is that once the results were completed,  
20 we'd be contacted if there was additional interest.  
21 And under no circumstances were we to contact AK  
22 Steel.

23 Q. Do you know who -- was there someone  
24 there kind of proctoring the test?

25 A. Yes.

1 Q. Do you know who that person was.

2 A. No, I don't. White, older gentleman.

3 Q. Were you contacted after taking the  
4 test?

5 A. Yes.

6 Q. What were you told?

7 A. They wanted to set up an initial  
8 interview.

9 Q. Do you know who contacted you?

10 A. I believe that was Jessica Hicks.  
11 That's who I had the interview with. I believe it  
12 was with her.

13 Q. And the test that you took you  
14 understood was kind of the general test for the  
15 production position, the entry level positions?

16 A. I understood by description the type  
17 of test that it would be.

18 Q. Okay. Did you find it to be  
19 straightforward?

20 A. The test itself was straightforward,  
21 but I thought it was extremely detailed, involved for  
22 a production position of that caliber.

23 Q. Did you have any problems with it?

24 A. I don't believe so.

25 Q. And were you told that you passed the

1 test?

2 A. Yes.

3 Q. You said that you were called in to  
4 set up an initial interview?

5 A. Correct.

6 Q. And you met with Jessica Hicks?

7 A. Yes.

8 Q. And that was about November 27th,  
9 2001?

10 A. I believe it was in November. I don't  
11 know the specific date.

12 Q. Okay. What did she tell you at that  
13 interview?

14 A. She mostly discussed my background,  
15 gave me an idea of the schedule, the expectations  
16 that they were looking for in the position. Some  
17 basic information sharing session.

18 Q. What position did she talk to you  
19 about?

20 A. At that time, just a production/  
21 laborer position.

22 Q. Did she tell you that there was a  
23 freeze on hiring management?

24 A. Yes, because I had asked her about  
25 that at the tail end of our discussion. Up until

1 that point we had had no discussion about management.  
2 I just waited till the end to see if she would bring  
3 any issues up, and she didn't. And I asked her  
4 specifically. And she said there was a freeze on  
5 hiring for management and they were only looking for  
6 degreed personnel. Engineering degreed personnel at  
7 that.

8 Q. And you don't have any reason to  
9 believe that was false, do you?

10 A. That it was false?

11 Q. Yes. That her statement.

12 A. I don't know. I just took it at face  
13 value.

14 Q. Okay. Did she tell you that you might  
15 qualify for a maintenance or a production position?

16 A. Not during that interview. She  
17 actually called me a second time and said that there  
18 was a possibility that that would be a route for me  
19 to go, and that when we met that second time that she  
20 would have a person from maintenance present.

21 Q. So during this first interview she  
22 talked to you about your background. She gave you  
23 some idea about the hours that were required for the  
24 job. How did you think the meeting went?

25 A. Great.

1 Q. You felt good about the interaction  
2 you had with Ms. Hicks?

3 A. Uh-huh.

4 Q. And you said that then she called you  
5 on the phone a second time?

6 A. Yes.

7 Q. And what did she tell you then?

8 A. That they wanted to set up a second  
9 interview, which was in December.

10 Q. And that was because she was thinking  
11 you might be interested in a maintenance position?

12 A. No. She didn't specify that she  
13 thought I was interested in any position. She just  
14 said that because of my background she would have a  
15 maintenance person available to have a discussion  
16 with me as well.

17 Q. So did you report for a second  
18 interview in December?

19 A. Yes.

20 Q. And who was at that interview?

21 A. Jessica, and I don't remember the  
22 gentleman's name. I believe he identified himself as  
23 the assistant maintenance supervisor. Red hair,  
24 strawberry blond hair, younger gentleman with a  
25 beard.

1 Q. What did they say?

2 A. We had the initial -- well, I had the  
3 initial interview with Jessica and we basically just  
4 went back over what we had talked about during the  
5 initial interview.

6 And she told me, she said, Well,  
7 there's a possibility that maintenance may be  
8 interested in you.

9 The gentleman came in. We had a very  
10 brief discussion about the maintenance schedule. And  
11 he told me -- well, he and Jessica collectively told  
12 me at the end of the discussion they'd like for me to  
13 take a test. And I told them I wasn't prepared to  
14 take a test that day.

15 Q. What kind of test did they tell you?

16 A. They just said it would be an  
17 assessment of my electronic/electrical skills. And I  
18 knew from my lack of being involved in theory/  
19 formula type work since I basically left my schooling  
20 in the navy, that I would not be prepared for that.  
21 I would need to brush back up.

22 I asked them for a couple weeks, an  
23 opportunity to go back into my books and study and  
24 memorize the formulas and whatnot, and they said  
25 that that wouldn't be possible. They wanted me to

1 take it right away.

2 Q. Did they say anything else?

3 A. At the end of the meeting I had --  
4 well, after those discussions I had indicated to  
5 Jessica if that was the route that they wish to  
6 progress, that I would prefer to go into the  
7 production role because I felt it more of an  
8 opportunity for success.

9 And she said okay. She said well, we  
10 still have urinalysis and a background check remain.  
11 And because the holidays were about to -- holiday  
12 period was about to begin, she said you can probably  
13 expect to hear from them toward the first of the  
14 year.

15 Q. So it was your understanding they were  
16 still interested in you?

17 A. It was my understanding they were  
18 still interested in me. And, actually, the  
19 impression that I got from her was that I was pretty  
20 much going to be offered a position after successful  
21 completion of those last two steps.

22 Q. Okay. So you understood that AK Steel  
23 was going to conduct a background check?

24 A. Yes.

25 Q. You understood they were going to



1 verify everything on your application?

2 A. Yes.

3 Q. Including your education, your  
4 employment, and your criminal and driving records?

5 A. Uh-huh.

6 Q. Okay. Did you ever hear anything back  
7 from AK?

8 A. Not from AK.

9 Q. Did you hear back from anybody?

10 A. I heard from the background  
11 investigation group. There was a young lady who  
12 called. Was kind of laughing on the phone when she  
13 called. She said I just simply need to verify your  
14 first name and your Social Security number, which I  
15 thought was kind of odd given that those two pieces  
16 of data were pretty much on every document that I had  
17 submitted, but I went ahead and stated the  
18 information for her. And that was the last time I  
19 heard from anyone even related to the application  
20 process.

21 Q. Do you know the name of the person  
22 that called you?

23 A. No, I don't.

24 Q. And you say she was from the  
25 background check?

1           A.    She identified herself as performing a  
2 background check for AK.

3           Q.    Okay. Did you ever call anybody at AK  
4 to find out what happened with the application?

5           A.    No, because we were told specifically,  
6 when we took the test, at no time were we supposed to  
7 contact any representatives with AK.

8           Q.    Do you know why you were not hired?

9           A.    No, I do not. Specifically.

10          Q.    Do you know generally why you were not  
11 hired?

12          A.    Generally, I don't know why I wasn't  
13 hired. I can only speculate.

14          Q.    What would you speculate?

15          A.    I would have to believe that it would  
16 have something to do with my race, because quali-  
17 fication-wise I think I met all the criteria.

18                In fact, I think I even exceeded some  
19 of it as far as general applicants. I know personal  
20 friends that I have that work there. I'm more  
21 qualified than they are.

22          Q.    Who are these personal friends?

23          A.    Well, just some of the men I listed.  
24 Well, Gardner has a college degree, but the other two  
25 I think I'm just as qualified, if not more qualified,

1       than them.

2                   Q.     The other two African Americans?

3                   A.     Yes.

4                   Q.     You don't know of any Caucasian  
5 applicants that you are more qualified than?

6                   A.     By name? There's a gentleman that  
7 works there named Dale Barnett that I formerly worked  
8 with at a company called Swallen's in the mid to late  
9 '80s. I would say I'm just as qualified, if not more  
10 qualified, than him.

11                  Q.     Do you know when he was hired at AK?

12                  A.     No, ma'am, I don't.

13                  Q.     And just to confirm, no one at AK  
14 Steel ever said anything to you about your  
15 application after your meeting with Jessica and the  
16 manager from maintenance.

17                  A.     That is correct.

18                         MS. DONAHUE: Object to the form. I  
19 think it mischaracterizes.

20                  Q.     Is that correct?

21                         MS. DONAHUE: Didn't the person call  
22 on background checks?

23                  Q.     I'm asking from AK Steel.

24                  A.     No one from AK Steel, no.

25                  Q.     And no one from AK Steel ever told you

1       why you were not hired?

2               A.     That is correct.

3               Q.     And did you ever hear from anybody  
4       else why you might not have been hired?

5               A.     No.

6               Q.     Okay. And I'm assuming that no one at  
7       AK Steel ever said anything to you about your race?

8               A.     Not as far as that being a reason not  
9       to be hired.

10              Q.     Did they say anything about your race  
11       at all?

12              A.     Not that I can recall.

13              Q.     Okay. Did anyone at AK Steel ever say  
14       anything that was discriminatory, that you felt was  
15       discriminatory?

16                     MS. DONAHUE: Object to the form.

17                     Calls for a legal conclusion.

18              A.     No.

19              Q.     What evidence do you have to support  
20       your claim that you were discriminated against  
21       because of your race?

22              A.     The statistical report that was  
23       compounded by our statistical expert.

24              Q.     Is that it?

25              A.     At this point, yes.

1 Q. I assume you've seen that report?

2 A. Yes.

3 Q. Did you do anything to help create  
4 that report?

5 A. No, not specifically.

6 Q. Okay.

7 A. Other than being part of the suit,  
8 plaintiff in the suit. I had nothing to do with  
9 compounding the information.

10 Q. Okay. And do you know who AK Steel  
11 hired, if anyone, besides you at the same time when  
12 you were applying? Do you know if AK Steel hired  
13 someone else instead of you?

14 A. No. I don't know of any individuals  
15 who were hired.

16 Q. Okay. Do you know who at AK Steel  
17 made the decision not to hire you?

18 A. Not at all.

19 Q. When did you first learn or believe  
20 that you were discriminated against?

21 MS. DONAHUE: I'd object to the form.  
22 That calls for a legal conclusion, but you  
23 can answer.

24 A. I had thought about that after I would  
25 say maybe March of '02 when I hadn't heard anything

1 back. Again, I felt both interviews went well.  
2 There was nothing that had happened that would lead  
3 me to believe that I was going to be disqualified.

4 I knew there was nothing as far as  
5 background search that was going to disqualify me.  
6 And I knew I could pass the physical and the  
7 urinalysis if given that opportunity. So there was  
8 no reason in my mind that I should have been  
9 disqualified as a candidate.

10 Q. Is that the only reason you believed  
11 it must be because of your race?

12 A. General sentiment over the years. I  
13 mean, I've had relatives and friends that have worked  
14 there that said that there is a hostile racial  
15 atmosphere, you know, out at the plant sometimes.  
16 But I'm the type of person, you know, I may listen to  
17 what people say, but I prefer to have my own  
18 experience, make my own conclusion. So that's why I  
19 continued to apply for a position.

20 Q. Who did you hear this from, this  
21 general sentiment?

22 A. To name specific people, I mean I've  
23 heard it all the way back from my grandfather who was  
24 an employee to just various people over the years. I  
25 can't even begin to give you a list of people.

1 Q. Who was your grandfather?

2 A. Jesse Jemison.

3 Q. How do you spell the last name?

4 A. J-e-m-i-s-o-n. He's a retired  
5 employee.

6 Q. I'm assuming he's African American?

7 A. Yes. He's deceased.

8 Q. Anyone else that's ever given you --

9 A. Great uncle, Doc Kindred, D-o-c  
10 K-i-n-d-r-e-d. Deceased as well.

11 Q. And he also worked at AK?

12 A. Uh-huh. Also African American.

13 Q. Anyone else?

14 A. Those are just some of the older  
15 people that I've, you know -- again, just giving you  
16 a starting point of people that I've heard stories of  
17 the discrimination from.

18 Q. How long ago did -- I'm sorry.

19 A. How long ago have I heard those  
20 stories?

21 Q. No. How long ago -- when did your  
22 grandfather retire?

23 A. Oh, it would have been early to  
24 mid-'70s.

25 Q. So he retired actually from Armco?

1 A. Uh-huh.

2 Q. What about your Uncle Doc?

3 A. Same. I don't know the specific time  
4 he would have retired, but it would have been from  
5 Armco as well.

6 Q. Okay. Anyone give you that same  
7 general sentiment in recent years?

8 A. Terry Million, an employee that  
9 retired from AK. I have an aunt who just recently  
10 retired, Marsha Jemison. Richard Moore, Cheryl Pratt  
11 also worked there for I believe ten years. And they  
12 all told me, you know, when you apply, you know what  
13 you're getting into, so.

14 Q. You listed --

15 A. With regard to the racial climate.

16 Q. You listed Terry, did you say --

17 A. Million as in a million dollars.

18 Q. He's African American?

19 A. Yes.

20 Q. He was an employee or is an employee?

21 A. Was. I believe he retired six or  
22 seven years ago.

23 Q. And your aunt?

24 A. Marsha Jemison. And she just retired  
25 this year.



1 Q. And she's also African American?

2 A. Uh-huh.

3 Q. And Richard Moore.

4 A. Uh-huh.

5 Q. Is he African American?

6 A. Yes.

7 Q. Is he still there or is he --

8 A. No. I believe he retired in late  
9 '80s.

10 Q. And Cheryl Pratt.

11 A. And she was also an employee when it  
12 was Armco. She did not retire.

13 Q. Is she still there?

14 A. No.

15 Q. Did she quit?

16 A. She left for another position actually  
17 with Procter and Gamble.

18 Q. And she's African American?

19 A. No.

20 Q. No. What did she tell you about  
21 working at AK?

22 A. She just -- basically, the same thing.  
23 She said, you know, you know what the environment  
24 that you're about to get into. You have to watch out  
25 for yourself.

1 Q. Is that all she said?

2 A. I mean, that's a synopsis.

3 Q. Okay. What about Richard Moore, what  
4 did he say?

5 A. Pretty much the same thing. Pretty  
6 much the same thing from all of those individuals.

7 Q. What were their exact words?

8 A. I couldn't begin to give you exact  
9 words. I mean those discussions were held over the  
10 span of several years. Again, I couldn't give you  
11 exact words.

12 Q. When were the discussions held?

13 A. Again, over the span of several years.  
14 I couldn't give you exact times.

15 Q. What years?

16 A. The last --

17 THE WITNESS: I'm sorry.

18 MS. DONAHUE: Just don't talk over  
19 each other. Both of you I mean.

20 A. The last 20.

21 Q. So sometime --

22 A. Well, I wouldn't even say the last 20.  
23 The last -- let's see. First time I ever even  
24 mentioned interest would have probably been about --  
25 well, yeah, about the last 20. About '88 was the

1 first time I even talked to them about the  
2 possibility of working. I never applied, though.

3 Q. So sometime after the last 20 years  
4 these four individuals said something to the effect  
5 that, "Well, you know what type of environment it is.  
6 You need to watch out for yourself."

7 A. Yes.

8 Q. Did they say anything else?

9 A. Not that I specifically can name.

10 Q. Did they give you any specific  
11 examples of problems?

12 A. Of racially-related problems?

13 Q. Whatever environment they're talking  
14 about.

15 A. Specifics, not that I can remember,  
16 no.

17 Q. Okay.

18 A. That I could recite at this time.

19 Q. Okay. So in about March 2002, that's  
20 when you started thinking that you had been  
21 discriminated against?

22 A. That's when I really thought that,  
23 because I hadn't heard anything back, what are the  
24 possibilities, and that was the lead possibility in  
25 my mind.

1 Q. Why was that the lead?

2 A. Because, again, I felt that I was an  
3 ideal applicant. I'd already worked for a Fortune 50  
4 company for five years without incident. I'd been an  
5 exemplary sailor in the navy. Never had any problems  
6 with any of my previous employers.

7 As far as the qualifications that Ms.  
8 Hicks expressed that they were looking for in the way  
9 of personnel, I felt I met that profile as well, so I  
10 did not see any specific reason to disqualify me  
11 other than race.

12 Q. What were the specific qualifications  
13 she said she was looking for?

14 A. They were looking for people with  
15 mechanical and/or technical aptitude who would be  
16 willing to work rotating shifts in the conditions,  
17 the environmental conditions that exist in that steel  
18 mill.

19 Q. Have you ever applied anywhere else  
20 and not been hired?

21 A. Yes.

22 Q. Was that because of your race?

23 A. I don't know.

24 Q. Did you --

25 A. There are times that I speculated

1 that, yes, though, if that's -- after defining your  
2 question.

3 Q. Have you ever applied somewhere and  
4 not been hired and thought it was because of a reason  
5 not related to your race?

6 A. Yes. I'm sure I have.

7 Q. Why weren't you hired there?

8 A. I have to take a moment to think of a  
9 specific job.

10 I don't know. I guess they just  
11 didn't feel I was a qualified applicant.

12 Q. Okay.

13 A. But I'd also like to add to that that  
14 the majority of those, the vast majority of those  
15 places I never even interviewed one time with.

16 Q. Why do you point that out?

17 A. I think it's a very rare opportunity  
18 that a company would invest two interviews, verbally  
19 state that they're going to do a background check,  
20 and acknowledge that the following step would be a  
21 urinalysis/physical if there wasn't a serious intent  
22 to consider this individual for employment.

23 (Defendant's Exhibit 2  
24 was marked for identi-  
25 fication.)

Q. Okay. You've been handed what's been

1 marked as Exhibit Number 2. Is that your signature?

2 A. Yes, it is.

3 Q. And you signed this on August 28th,  
4 2001?

5 A. Correct.

6 Q. And this was a waiver and release to  
7 have a reference and background check done?

8 A. Okay.

9 Q. Is that right?

10 A. I believe so, yes.

11 Q. Is that your handwriting in the parens  
12 near the bottom?

13 A. Yes.

14 Q. What does that say?

15 A. It says, "I authorize it. However, it  
16 is against P and G policy to provide such  
17 information."

18 Q. What did you mean by that?

19 A. As part of my background investigation  
20 I assumed that my most previous employer would be one  
21 of the first places to check for reference. And at  
22 the time of our separation we were told, again, we  
23 were told, that the company would not provide any  
24 details with regard to employment other than dates of  
25 hire, and dates of separation in my case.

1 Q. So they wouldn't provide any kind of  
2 reference or --

3 A. That's what I was told.

4 Q. Okay. You pointed that out because  
5 you were concerned by that or --

6 A. No. I pointed that out because if  
7 there was a potential roadblock there of sorts, I  
8 wanted them to know why, or at least to my knowledge  
9 why they may be facing a roadblock.

10 (Defendant's Exhibit 3  
11 was marked for identi-  
12 fication.)

13 Q. You've been handed what's been marked  
14 as Exhibit Number 3. Is that your handwriting on  
15 Exhibit 3?

16 A. Yes, it is.

17 Q. Is that your name at the top?

18 A. Yes, it is.

19 Q. And is this something you also filled  
20 out on August 28th, 2001?

21 A. That's correct.

22 Q. Okay. It asks you "How many times  
23 have you been without employment for more than six  
24 weeks?" And you say none. Didn't you tell me that  
25 it was about two months in between the navy and  
Procter and Gamble?

1           A.    Yes.  It says other than exiting the  
2   military.  And when I exited the military, that's  
3   when I began working for Procter and Gamble.

4           Q.    Okay.  And then number ten it asks how  
5   many years of assembly, heavy machinery and/or  
6   manufacturing experience you had.  You list five.  
7   Where was that five at?

8           A.    There was a position I had back in the  
9   '80s with a company called Hamilton Fixture.  We  
10  assembled -- basically, they're the desks, if you  
11  will, that they put cash registers on in retail  
12  establishments.

13                  That's not going to be listed.  It was  
14  just a summer job before I went to college.  We  
15  assembled equipment as well while I was in the  
16  military.  Let's see.

17           Q.    So how many months -- how long did you  
18  work for Hamilton Fixtures?

19           A.    Three months maybe.

20           Q.    Any place --

21           A.    And, again, I was in the service for  
22  six years.  I mean, we assembled equipment,  
23  cabinetry.  We assist with the contractors with the  
24  installs regularly.  So, I mean, just that alone.  I  
25  was in the service for six years.  I mean, that's



1 above the five years alone.

2 Q. Why did you write five years? Where  
3 do you get the five years from?

4 A. Duration that I was in the military.  
5 I was in the military for six years. There was five  
6 years of me actually helping with the contractors and  
7 assembling equipment as part of the roles of my job.

8 I mean, we assembled damage control  
9 equipment. There's -- within the navy there's a lot  
10 more work and responsibility other than your specific  
11 job.

12 So, I mean, I had mechanical work with  
13 regard to valves and hoses, and, you know, the full  
14 array of damage control equipment we would use aboard  
15 a ship.

16 Q. And you would consider that assembly  
17 experience?

18 A. Pumps. Yes. We had to disassemble  
19 them for preventive maintenance and put them back  
20 together.

21 Q. What did you do for the other year of  
22 your military?

23 A. Mostly schooling.

24 Q. How long were you in school in the  
25 military?

1           A.    It was just over a year if you -- my  
2    initial school. Just over a year if you compounded  
3    it all together, school time. But I had some  
4    additional schools afterward that if you added it all  
5    together, it would be close to a year and a half.

6           Q.    You say that was during your time in  
7    the military?

8           A.    Correct.

9           Q.    So about a year and a half of your  
10   time in the military was spent in schooling?

11          A.    Correct.

12          Q.    And the rest of your time in the  
13   military was spent doing what?

14          A.    My job, but, I mean, when you're in  
15   school -- there's an initial phase of schooling.  
16   It's called A school. Think of it as a strict  
17   technical school where basically you just get up, you  
18   go to school, you stand watches, and basically  
19   everything is geared around your initial education.

20                Once you finish A school they have  
21   what they call C schools. They're more specialty  
22   schools for particular subsystems. You can have C  
23   schools where you go to school during the day but  
24   you're still attached to your ship, meaning you still  
25   have duties specific to your ship or your command.

1                   And then you can have C schools where  
2                   you're actually temporarily dis-- or unattached, and  
3                   then you go specifically to school, and then once  
4                   you're finished with the school you get re-attached  
5                   to the ship.

6                   So I only -- during that duration I  
7                   only had one school where I was temporary  
8                   unattachment. The rest of the time I was still  
9                   attached to the ship and I was still coming back and  
10                  doing my PMS duties with regard to damage control,  
11                  standing my watches, and standing duty.

12                 Q.    So when you responded to question  
13                       number ten, you were referring to the military  
14                       service and the three months at Hamilton Fixture?

15                 A.    Primarily the military service. I was  
16                       just stating the three months in Hamilton Fixture as  
17                       additional time.

18                 Q.    Okay. And when was it, again, that  
19                       you went to Hamilton Fixture?

20                 A.    It had been June of '85 through August  
21                       of '85.

22                 Q.    When did you go into the military?

23                 A.    1990.

24                 Q.    What did you do between '85 and '90?

25                 A.    Worked a few different part-time jobs.

1 Well, obviously I went to Penn State when I came back  
2 from school. Was actually going to go to school here  
3 in Ohio. And I started working a job and got several  
4 part-time jobs at one point. Just continued on that  
5 path until I decided to go into the military because  
6 it wasn't leading me down the direction I wanted to  
7 go.

8 (Defendant's Exhibit 4  
9 was marked for identi-  
10 fication.)

11 Q. You've been handed what's been marked  
12 as Sloan Exhibit 4.

13 A. Uh-huh.

14 Q. Do you recognize this document?

15 A. Yes, I do.

16 Q. What is it?

17 A. Charge of Discrimination filed with  
18 the Equal Employment Opportunity Commission.

19 Q. Is that your signature on the bottom  
20 of page one?

21 A. Yes, it is.

22 Q. And is that your signature on the last  
23 page?

24 A. Yes, it is.

25 Q. And you filed this sometime on or  
after June 17th, 2002?

1 A. That's correct.

2 Q. Did you prepare this document?

3 A. I gave the data that is listed in  
4 section two, Statement of Personal Harm, and the  
5 background data that's listed on the first page.

6 Q. Did you review it before you signed  
7 it?

8 A. Yes, I did.

9 Q. Did you agree that everything was true  
10 and correct?

11 A. Yes.

12 Q. And that includes not only what's in  
13 paragraph two, but paragraphs one, three and -- one,  
14 three and two again?

15 A. Paragraphs or the sections?

16 Q. Sections. I'm sorry. Sections.

17 A. That is correct.

18 Q. Okay. Who told you to file a charge?

19 MS. DONAHUE: Let's be cautious here,  
20 because this might involve attorney-client  
21 privilege material, but you can answer.

22 A. I had been made aware that there were  
23 other individuals who had filed a charge who had what  
24 they believed to be similar experiences with AK. And  
25 in an effort to have something permanently done to

1 resolve what we thought was an unfair hiring  
2 practice, it would be in my best interest to file a  
3 charge.

4 Q. Who told you that?

5 A. Specifically, I believe Allen Roberts  
6 and I had a discussion. He was aware of other  
7 individuals who had filed charges.

8 Q. How did you get in to contact with  
9 Allen Roberts?

10 A. Actually, we came across each other in  
11 the course of me working as a bartender. He and his  
12 wife had come into the restaurant. We hadn't seen  
13 each other in a few years. And we had a discussion,  
14 and that was part of that discussion.

15 Q. Did you tell him you had applied at  
16 AK?

17 A. Yes, I had.

18 Q. And what did he tell you?

19 A. I had told him, basically, all the  
20 information in a synopsis form that's listed as far  
21 as my statement within this charge. And he said,  
22 "There's a number that I need to give you of some  
23 attorneys you may like to call." He said, "And I  
24 would also recommend that you seriously consider  
25 filing a charge of discrimination with the EEOC."

1 Q. So this meeting was before you filed  
2 the charge with the EEOC?

3 A. Correct.

4 Q. Was it after March of 2002 when you  
5 decided that you thought it was because of your race?

6 A. Yes. As a matter of fact, he and I  
7 did meet after that point.

8 Q. So you had already concluded this in  
9 your own mind at that point?

10 A. Yes. I strongly believed it, yes.

11 Q. So you did then contact the attorneys  
12 that he -- numbers that he gave? I don't want to  
13 know what you told the attorneys.

14 A. Yes.

15 Q. And as a result you filed a charge?

16 A. Yes.

17 Q. Now, in your charge you say that in  
18 September 2001 you put in an application. Now,  
19 that's not correct, is it?

20 A. Yeah. We're off by, what, three days.

21 Q. And you state that you submitted an  
22 application by a way of State of Ohio's Unemployment  
23 Services?

24 A. That is correct.

25 Q. You state that you initially submitted

1 my application by giving it to friends and then  
2 submitted it. How many times did you fill out the  
3 application?

4 A. Well, I filled out the application, as  
5 I said, with Gardner. I stated that earlier. And  
6 then this time here, so that would be twice.

7 Q. So earlier when I asked you how many  
8 times you filled out the application, you were  
9 mistaken when you said once?

10 A. You said how many times had I  
11 submitted. I thought you said how many times had I  
12 submitted an application to AK. And I only submitted  
13 one. I gave one to Gardner. And I can't say for  
14 sure that it was submitted. I know that I physically  
15 gave this to the bureau of employment services, so  
16 I'm pretty sure that one did make it to the company.

17 Q. And this is Exhibit 1?

18 A. That is correct.

19 Q. Okay. And just so I'm clear, is this  
20 a different copy? In other words, did you fill out  
21 two different times an application, or did you have a  
22 copy of the one you'd already given to Gardner?

23 MS. DONAHUE: Object to the form.

24 Compound. Let's just ask one thing at a  
25 time.



1 A. Restate your first question, please.

2 Q. Is Exhibit 1 a different --

3 A. Copy than what I gave Gardner, yes.

4 Q. Okay.

5 A. Yes.

6 Q. So you did actually complete the  
7 application two times?

8 A. Yes. But I don't believe -- matter of  
9 fact, I'm sure it didn't have all the pages that this  
10 application does.

11 Q. The one that you submitted with  
12 Gardner?

13 A. Correct.

14 Q. Did not have all the pages as Exhibit  
15 1?

16 A. I don't believe so, no.

17 Q. Okay. And you don't have a copy of  
18 whatever it is that you submitted to Gardner.

19 A. No.

20 Q. And you don't know when you submitted  
21 that?

22 A. That would have been before this one.  
23 Specifically, no.

24 Q. Okay.

25 A. But it was before that. I do know

1 that.

2 Q. So sometime after August 28th?

3 A. Correct.

4 Q. Okay. You know how long -- I'm sorry.  
5 Go ahead.

6 A. Give me just a moment. No. I'm  
7 trying to actually isolate a little smaller timeframe  
8 for you, and I can't.

9 Q. Okay. Why did you go to the State of  
10 Ohio's Unemployment Services to submit your  
11 application?

12 A. I had been told, and I can't remember  
13 by whom, I believe it was a family member, that they  
14 were accepting applications for AK Steel employment.  
15 I believe it was my grandmother. I can't say for  
16 sure.

17 Q. When you say that they were accepting,  
18 you mean the --

19 A. The company. AK Steel was accepting  
20 applications through the Bureau of Unemployment  
21 Services.

22 Q. Okay. In your last paragraph of the  
23 first -- actually, I guess it's the second page of  
24 the charge.

25 A. Okay.

1 Q. Yes. Last paragraph there you talk  
2 about taking a qualifying exam in November 2001.

3 A. I thought it was November. You said  
4 it was October 20th.

5 Q. Somewhere around that time.

6 A. A couple weeks.

7 Q. Okay. You say that "At this time, an  
8 AK Steel representative told me that, in order to be  
9 considered for a management position, the requirement  
10 was a test score above a certain level." Who told  
11 you that?

12 A. There was a phone call that I had  
13 with -- I don't have the name with me. I do have it  
14 at home. Female that worked actually in the  
15 administrative buildings. I can't remember her name  
16 at this time, but I know I've got it written down at  
17 home.

18 Q. Why do you have it written down at  
19 home?

20 A. When she and I had that phone  
21 discussion I actually wrote it down on a little  
22 scratch pad the details of what we talked about.

23 Q. And you still have that?

24 A. Yeah. I have a little file with that  
25 pad.

1 Q. What else is in that file?

2 A. Just information that I've compiled  
3 for my attorneys over the duration of the suit.

4 Q. Any other notes that you've taken?

5 A. Nothing outside of what I've discussed  
6 with my attorneys.

7 MS. PRYOR: I'm sure that document was  
8 part of our request that we've previously  
9 made.

10 MS. DONAHUE: I really don't know.  
11 I'll have to look at it.

12 Q. What did this -- you said there was a  
13 telephone call. When did this telephone call occur?

14 A. Off the top of my head, I can't  
15 remember. It was during that time, but it was prior  
16 to taking the test, because, again, we were told to  
17 not contact anyone after taking the test.

18 Q. Did you contact this person?

19 A. I got the administrative number from  
20 the phone book and I called HR and this individual  
21 worked within HR. And I asked the question so I knew  
22 if they were actually hiring for management and labor  
23 positions both.

24 Q. Okay.

25 A. Because I had listed that on my

1 application, but general feeling that I had gotten  
2 when I submitted the application from the folks at  
3 the bureau is that they were looking for labor  
4 persons only.

5 Q. So you called someone in HR.

6 A. Correct.

7 Q. And asked them if they were hiring for  
8 labor and management positions?

9 A. Correct.

10 Q. And what did she say?

11 A. She said they were, and there would be  
12 a test taken and there was a cut-off score for the  
13 labor position, and there was another cut-off score  
14 for management. So depending upon how well you did  
15 on that test, it would dictate if you were even  
16 eligible for a management position.

17 And I also asked her if they extended  
18 employment in a management position to individuals  
19 without degrees. And she said that would be based  
20 upon initially the score and then your background,  
21 your experience, and general feel through the  
22 interview process.

23 Q. I'm sorry. You asked her if it was  
24 based on degree?

25 A. Correct. Having or not having.

1 Q. And what did she say?

2 A. She said it would initially be based  
3 off of the score. That would be the first criteria  
4 that you would have to pass. Then it would be based  
5 upon your interview, your experience, and the general  
6 feel of your attributes.

7 So, in essence, there was a  
8 possibility if you did not have a four-year degree,  
9 that you could get into a management type position.

10 She did confirm to me that there were  
11 people working in the mill in management positions  
12 who did not have degrees.

13 Q. Did she say anything else?

14 A. No.

15 Q. And you say "The questions tested  
16 basic math and English, as well as mechanical  
17 reasoning." Is that correct?

18 A. Correct.

19 Q. That was like any kind of standardized  
20 test?

21 A. Similar to.

22 Q. Okay. You say that when you talked to  
23 Jessica Hicks, she said that people only receive a  
24 pass/fail grade on the test. Is that correct?

25 A. Yes.

1 Q. Did you see a copy of the complaint  
2 before it was filed?

3 A. The complaint?

4 Q. The complaint that initiated the  
5 lawsuit.

6 A. I believe so. Do you have a copy so I  
7 can confirm that?

8 MS. PRYOR: Do you need a break?

9 MS. DONAHUE: It's been more than an  
10 hour.

11 MR. KAMMER: If you don't mind just  
12 taking a short break.

13 MS. PRYOR: That's fine. Okay.

14 (Recess taken: 12:09 PM - 12:18 PM.)

15 BY MS. PRYOR:

16 (Defendant's Exhibit 5  
17 was marked for identification.)

18 Q. You've been handed what's been marked  
19 as Exhibit 5. Have you seen Exhibit 5 before?

20 A. Yes, I have.

21 Q. This is a copy of the complaint that  
22 was filed on your behalf?

23 A. Yes.

24 Q. Okay. Did you review it before it was  
25 filed?

1 A. Yes.

2 Q. Did you verify that the parts relating  
3 to you were accurate?

4 A. Yes. It looks correct.

5 Q. Initially, you were seeking to be a  
6 class representative. Is that correct?

7 A. Yes.

8 Q. You intended to represent a class of  
9 people?

10 A. Correct.

11 Q. As part of that role, were you keeping  
12 abreast of what was going on with the lawsuit?

13 A. Through information shared with me  
14 with my attorneys.

15 Q. Was there ever a period of time when  
16 you were not kept abreast or you felt like you were  
17 not kept abreast?

18 A. Yes.

19 Q. When was that?

20 MS. DONAHUE: I think we're going to  
21 object to this on the grounds that it  
22 relates to communications with attorneys  
23 and his characterizations of them.

24 Q. And I don't want characterizations of  
25 your -- what I want to know is whether you as a, at



1 the time, individual seeking to be a class  
2 representative were keeping abreast of the matters  
3 going on in the lawsuit.

4 A. Yes. There was a period of time when  
5 Mr. Sanford I believe was the lead, or at least had  
6 been indicated as lead, that I didn't feel I was  
7 getting as much information as I would have liked.

8 Q. And do you know when that period of  
9 time was?

10 A. I believe the year was actually 2003,  
11 but I can't say definitively.

12 Q. Sometime around -- throughout that  
13 period of time you knew the lawsuit was still going  
14 on.

15 A. Meaning?

16 Q. You said that you were not receiving  
17 as much information.

18 A. Yes. I knew we were still continuing,  
19 but I hadn't been receiving the amount of detail that  
20 I would have liked with regard to progression.

21 (Defendant's Exhibit 6  
22 was marked for identi-  
fication.)

23 Q. Okay. You've been handed what's been  
24 marked as Exhibit 6. Have you ever seen Exhibit 6  
25 before?

1 A. I don't believe so.

2 Q. You never have?

3 MS. DONAHUE: Look through the whole  
4 document first.

5 A. I can't say that I specifically  
6 remember seeing this specific document, no.

7 Q. Have you ever -- were you aware that  
8 defendant, being AK Steel, had asked that you produce  
9 certain documents?

10 A. Yes.

11 Q. When did you become aware of that?

12 A. There was a period earlier where we  
13 had been asked to provide tax information. And I  
14 had. I don't know if that information was actually  
15 requested by AK or simply by our attorneys. And  
16 there was the period most recently.

17 Q. Well, could it have been back around  
18 November 2002 when you were asked to provide  
19 information?

20 A. Can you point out exactly where you're  
21 referring?

22 Q. That's the last page.

23 MS. DONAHUE: Do you understand --  
24 maybe I can just help this. This is the  
25 date. She's asking that this is the date

1                   that this was submitted.

2                   THE WITNESS: Okay.

3                   MS. DONAHUE: That's the significance  
4                   of the date.

5 BY MS. PRYOR:

6                   Q. Yes. Your attorney submitted that to  
7 us around November 27th. Could it have been back in  
8 November/December of 2002 when you were first asked  
9 to provide documents?

10                  A. I'm assuming that I saw it, but I  
11 don't -- again, I don't specifically remember seeing  
12 the document.

13                  Q. Were you asked to gather anything  
14 other than tax records?

15                  A. The only other thing they asked us to  
16 do is if we had any planners that had dates indicated  
17 in there or information in our planners, to provide  
18 those as well. Any detailed notes of conversations,  
19 things of that nature.

20                  Q. Did they ask for those?

21                  A. Detailed. Yeah. Asked for anything  
22 with actual details on them.

23                  Q. And you already testified about one  
24 note that you made about a conversation you had with  
25 someone in HR.

1           A.    What I said is I wrote down her name  
2   and number on a notepad.

3           Q.    Okay.

4           A.    There may be a couple other words on  
5   there. I mean, I don't really consider that  
6   detailed.

7           Q.    But you kept it?

8           A.    I do believe I have it, because I  
9   wanted to maintain that name if it was ever an issue.

10          Q.    Is there any other note or document  
11   that you kept, maintained?

12          A.    Not that I can think of, no.

13                               (Defendant's Exhibit 7  
14                               was marked for identi-  
                                 fication.)

15          Q.    Okay. You've been handed what's been  
16   marked as Exhibit 7. Have you ever seen that before?

17          A.    No. I don't think I've seen this  
18   document.

19               MS. DONAHUE: This part (indicating).

20          A.    Well, I saw where it's listed what  
21   information I provided, but I don't think I've ever  
22   seen this complete document, no.

23          Q.    Were you asked to provide information  
24   about what witnesses you thought you had and what  
25   documents you had?

1 A. Yes. I believe so, yes.

2 Q. Would it have been roughly around  
3 February 2003?

4 A. Honestly, I don't remember a date.

5 Q. Could have been?

6 A. Could have been, yes.

7 Q. All right. And you've, at least  
8 according to this document, your witness is listed as  
9 Jessica Hicks?

10 A. Yes, because of our face-to-face  
11 interaction.

12 Q. Is that the only person you believe is  
13 a witness to?

14 A. At that time, yes.

15 Q. Has that changed?

16 A. Per our discussion now I guess the  
17 lady I'm referring to on this note could potentially  
18 be a witness, but I didn't know without us having  
19 face-to-face interaction if that was a possibility at  
20 that time.

21 Q. Okay. And documents you've listed  
22 your tax returns, your EEOC charge, resumes. What  
23 resumes do you have?

24 A. The resume that I had submitted along  
25 with the application.

1 Q. Do you have any other resumes?

2 A. My current resumes. I mean, that list  
3 all my employment since this period.

4 Q. Okay.

5 A. I don't have them with me if that's  
6 what you're asking.

7 Q. No. I'm not. You do have a current  
8 resume?

9 A. Yes.

10 Q. You say cover letter. What cover  
11 letter are you talking about?

12 A. Again, the cover letter I would have  
13 submitted with the application.

14 Q. Do you have a copy of this cover  
15 letter?

16 A. I may have at home. I don't remember  
17 for sure if I've kept it on file.

18 Q. You have electronics certificate.  
19 What is that?

20 A. Completion of electronics schooling.

21 Q. Was that with the navy?

22 A. Uh-huh.

23 Q. Are you aware that you moved to amend  
24 the complaint on April 30th, 2003?

25 A. I don't remember specifically with

1       what intent.

2                   MS. DONAHUE: I object to this. These  
3       are things his lawyers do on his behalf.

4                   Go ahead.

5                   MS. PRYOR: Well, he's represented he  
6       kept abreast of the proceedings as class  
7       representative at the time.

8       A. Attempted to.

9                   MS. DONAHUE: He's no longer a class  
10      representative.

11                  MS. PRYOR: I understand that.

12                  MS. DONAHUE: And, also, these call  
13      for legal conclusions. These are  
14      testifying about legal matters, and he's  
15      not --

16                  MS. PRYOR: I'm not asking him to  
17      testify about legal matters. I'm asking  
18      him to testify about what he knew about.

19                  MS. DONAHUE: Okay.

20                               (Defendant's Exhibit 8  
21                               was marked for identi-  
                                  fication.)

22      BY MS. PRYOR:

23                  Q. Have you ever seen Deposition Number 8  
24      before?

25                  MR. KAMMER: Just want to throw a

1 point of clarification. Tobias, Kraus and  
2 Torchia is not an LLP as listed on this  
3 document. It's neither here nor there as  
4 far as your question, but I noticed that.

5 MS. PRYOR: Worried about your  
6 liability there?

7 MR. KAMMER: You never know.

8 BY MS. PRYOR:

9 A. I don't recall seeing the document.

10 Q. Have you ever seen another complaint  
11 other than the initial one filed?

12 A. I've seen -- our attorneys have given  
13 us updates as far as the specific documents. There  
14 have been some that have been shared with us, but  
15 most --

16 Q. And I don't need specifics.

17 MS. DONAHUE: I think I object to this  
18 whole line of questioning about, you know,  
19 which legal documents he saw and which ones  
20 he didn't see.

21 His lawyers prepare these on his  
22 behalf. That's a common thing that's done.  
23 He's -- I think that this question is  
24 getting very close to probing in to the  
25 attorney work product doctrine.



1 MS. PRYOR: And I'm not meaning to do  
2 that. All I'm asking is at the time he was  
3 a class representative I'm asking what he  
4 had knowledge about and what things he was  
5 keeping abreast about. That's all.

6 MS. DONAHUE: That's fine. And that  
7 can be questioned without looking at  
8 documents as a matter of fact, but go  
9 ahead.

10 BY MS. PRYOR:

11 A. Well, what I was about to summarize is  
12 that there were issues that we had knowledge of that  
13 we didn't necessarily see the document.

14 Q. Okay.

15 A. There were summarizing letters that  
16 were sent to us with regard to progress.

17 MS. DONAHUE: Again, I object to any  
18 characterization of anything your attorneys  
19 have done on your behalf. That is really  
20 out of the bounds and I'll instruct you not  
21 to answer further questions. Okay?

22 MS. PRYOR: That's fine. All I was  
23 asking is what he thinks.

24 MS. DONAHUE: Just listen to her  
25 question and just answer her question.

1 THE WITNESS: Okay.

2 BY MS. PRYOR:

3 Q. What damages are you seeking in this  
4 lawsuit?

5 A. All that the court would allow.

6 Q. Money damages?

7 A. What the court deems appropriate.

8 Q. Do you think you're entitled to money  
9 damages?

10 A. Yes.

11 Q. Do you have a figure for how much  
12 you're entitled to?

13 A. What the court deems appropriate.

14 Q. If the court deems \$5 is appropriate,  
15 is that acceptable?

16 MS. DONAHUE: Object. Object. That's  
17 argumentative.

18 MS. PRYOR: No, it's not. I'm  
19 asking -- he said what the court deems  
20 appropriate. I'm asking what those  
21 boundaries are.

22 MS. DONAHUE: Objection.

23 BY MS. PRYOR:

24 A. I haven't established boundaries.  
25 I've gone with the premise that what the court deems

1 appropriate would be what we go with.

2 Q. So you have no figure in mind in terms  
3 of what your damages are?

4 MS. DONAHUE: Objection. Objection.  
5 Argumentative.

6 Q. Do you have any figure in mind?

7 MS. DONAHUE: Objection. Asked and  
8 answered.

9 Q. You can answer again.

10 A. What the court deems appropriate.

11 Q. So you do not have any figure in mind.

12 MS. DONAHUE: Objection to the form.  
13 Asked and answered. Argumentative.

14 A. Again, what the court deems  
15 appropriate.

16 Q. It's a yes or no question.

17 A. And that's my answer.

18 Q. Okay. That's fine.

19 You think you're entitled to money  
20 damages. What is money damages for?

21 A. The discrimination charge pretty much  
22 states I think everything that we feel we were  
23 deprived of.

24 Q. You understand you no longer are part  
25 of the class. Correct?

1 A. Yes.

2 Q. You currently are kind of proceeding  
3 as an individual. Correct?

4 A. Yes.

5 Q. So when you talk about "we," I'm  
6 asking what you as an individual now are seeking.

7 A. Again, what the court allows. I  
8 believe once all the evidence is presented, then we  
9 will see what the court deems appropriate.

10 Q. You, sitting here today, can't tell me  
11 anything you've been damaged? Can you give me any  
12 amount you've been damaged?

13 MS. DONAHUE: Object to the form.

14 Asked and answered. Argumentative.

15 Q. Answer it.

16 A. I believe that's something for the  
17 court to decide. Again, once all the evidence is  
18 produced.

19 Q. Let me ask you this. Let me ask you a  
20 different way. What evidence do you have of how  
21 you've been damaged?

22 A. The lack of having that job  
23 opportunity.

24 Q. So you're seeking compensation for not  
25 having that job opportunity.

1 A. That would be part.

2 Q. What's the other part?

3 A. Whatever else the court deems  
4 necessary in the case I present.

5 Q. That's what I'm asking about, the case  
6 you're going to present. What other evidence are you  
7 going to present about what your damages are?

8 MS. DONAHUE: Object to the form.  
9 This calls for a legal conclusion and legal  
10 analysis. That is completely beyond what  
11 he does as a plaintiff.

12 MS. PRYOR: That's fine.

13 Q. But what do you have -- if I asked you  
14 how can you prove your damages, what can you prove?

15 A. With the assistance of my attorneys,  
16 everything that we've stated thus far in the suit.

17 Q. And what is that?

18 A. Just that there was statistical data  
19 that shows there is a racial disparity in the hiring  
20 process within AK. And I feel that I was damaged  
21 with regard to having an opportunity to work with AK  
22 because of that.

23 Q. Okay. Have you always been seeking  
24 the same damages?

25 MS. DONAHUE: Object to the form.

1           A.     Since we've separated or separated the  
2     class and individuals, I believe everything is pretty  
3     much still the same, yes.

4           Q.     Prior to the separation did you  
5     believe you were entitled to damages when you filed  
6     your EEOC charge?

7           A.     The case, I don't think -- I don't  
8     know if the actual case was filed at that point, that  
9     just the EEOC charge was filed. I'm trying to get an  
10    idea of what you mean by timeline here.

11          Q.     Let's say when the initial case was  
12    filed, you believe you were entitled to damages at  
13    that time?

14          A.     I believe the court will determine  
15    what would be appropriate if it got that far.

16          Q.     And you're asking the court to  
17    determine what the damages are.

18          A.     If we got that far, yes.

19          Q.     Okay. So at least since June 26th,  
20    2002 you believe that you've been entitled to damages  
21    from AK Steel.

22                 MS. DONAHUE: Object to the form.

23                 Asked and answered. Argumentative.

24                 This is -- you know, you asked this  
25    same question several times.

1 MS. PRYOR: I'm not getting much of a  
2 response but --

3 A. Yes.

4 MS. DONAHUE: He is responding to your  
5 question. You just don't like the answer.

6 MS. PRYOR: No. I like the answer  
7 fine. I want the question answered.

8 Q. Have you ever been convicted of a  
9 crime?

10 A. No.

11 Q. You ever been convicted of -- I know  
12 in the complaint you say you've never been convicted  
13 of a felony. Have you ever been convicted of a  
14 misdemeanor?

15 A. No.

16 Q. Never?

17 A. Speeding ticket.

18 Q. When was the speeding ticket?

19 A. I've had a few. I can't give you  
20 specific dates, but I'll acknowledge I've had some.

21 Q. Those are just basic speeding tickets,  
22 going over the speed limit?

23 A. Yes.

24 (Defendant's Exhibit 9  
25 was marked for identification.)

1 Q. You've been handed what's been marked  
2 as Exhibit Number 9. Have you seen this document  
3 before?

4 A. I provided all the information that's  
5 summarized in the document.

6 Q. Have you ever seen the document  
7 before?

8 A. I have not seen the typed document.

9 Q. Okay. The last page, is that your  
10 signature?

11 A. Yes, it is.

12 Q. What were you signing?

13 A. To the information that I provided,  
14 because what I did is I actually provided my  
15 information on a separate form. I had seen the  
16 questions that had been listed as interrogatory  
17 questions.

18 Q. Okay. So --

19 A. And I --

20 Q. Go ahead.

21 A. And once I saw those questions, I  
22 answered the questions on a separate document. And  
23 this page was part of the verification of my answers  
24 to those interrogatories, which I'm verifying that it  
25 was, and that is summarized from, it looks like page



1 four -- well, actual questions -- yeah, page four  
2 through page eight.

3 Q. So this verification really does not  
4 pertain to this actual document then. Is that what  
5 you're telling me?

6 MS. DONAHUE: Object to the form.

7 A. The complete document I have not seen.  
8 The interrogatory questions, yes.

9 Q. Okay. The interrogatory answers that  
10 are on the document before you.

11 A. Yes.

12 Q. Exhibit 7.

13 A. Those are my answers.

14 Q. Those are the answers that you wrote?

15 A. Yes.

16 Q. And they are true and correct?

17 A. Yes.

18 Q. Okay. On page four, response to  
19 number one, Identify all litigation or legal  
20 proceedings in which you've been a witness or party.  
21 What's the first one, Capital One Bank v. you?

22 A. That was part of -- or prior to my  
23 bankruptcy. Capital One Bank was suing me for unpaid  
24 debt.

25 Q. What was the unpaid debt?

1 A. The balance of a credit card.

2 Q. How much was that?

3 A. I don't remember specifically.

4 Q. Okay. What about the next one, Ronald  
5 E. Sloan, Junior v. Kevin Watts?

6 A. That was a civil suit. Collection of  
7 personal debt. I had actually paid for him to use a  
8 party room at my apartment building. He never paid  
9 me back for it, which we'd agreed upon ahead of time.  
10 And I had to take it to civil court. And his wages  
11 were garnished as a way of repaying me.

12 Q. Is he a friend of yours?

13 A. Yes.

14 Q. You have roughly what year that might  
15 have been?

16 A. I don't, actually.

17 Q. Was it before 2003?

18 A. I honestly don't remember.

19 Q. Don't remember. The next one I think  
20 we've talked about already. That's the one against  
21 RL Stevens.

22 A. Uh-huh.

23 Q. And then the last one is In re:  
24 Ronald and Trica Sloan. That's a bankruptcy?

25 A. Correct.

1 Q. You filed a bankruptcy in, it looks  
2 like, 2003?

3 A. That is correct.

4 Q. That was discharged in 2003?

5 A. Correct as well.

6 Q. Was that a no asset bankruptcy  
7 discharge?

8 A. I'm not sure what you mean by no  
9 asset.

10 Q. Okay. That's fine.

11 (Defendant's Exhibit 10  
12 was marked for identi-  
fication.)

13 You've been handed what's been marked  
14 as Exhibit 9?

15 MS. DONAHUE: No. This is Exhibit 10.

16 Q. Exhibit 10. Sorry. Thank you.

17 Is this a copy of the bankruptcy  
18 filings that you made?

19 A. Yes. That appears to be all of them.

20 Q. On the second page is that your  
21 signature? The Signature of Debtor, Ronald E. Sloan,  
22 Junior?

23 A. That is correct.

24 Q. And the second to last page starts  
25 with a number 22, Former partners, that page.

1 A. Okay.

2 Q. Is that your signature?

3 A. At the bottom, yes.

4 Q. Yes. I'm assuming that's your wife's  
5 signature --

6 A. Yes, it is.

7 Q. -- below yours. There's another page  
8 about somewhat in the middle of the document. It's  
9 called Declaration Concerning Debtor's Schedules. It  
10 looks like this (indicating). Is that your signature  
11 on that page?

12 A. Yes, it is.

13 Q. You certified that everything was true  
14 and correct in this petition and the schedules?

15 A. As I understood it.

16 Q. Did you have an attorney doing your  
17 bankruptcy?

18 A. Yes. Richard West, who's listed on  
19 the front page.

20 Q. And you reviewed the forms before you  
21 signed them?

22 A. Yes.

23 Q. Did you ever seek to amend your  
24 bankruptcy petition?

25 MS. DONAHUE: Well, I'll specify now

1           that we are seeking to amend it at this  
2           point.

3           Q.   Prior to this point have you ever  
4           sought to amend it?

5           A.   No.

6           Q.   And your bankruptcy has been closed  
7           now for almost four years?

8           A.   Correct.

9           Q.   Okay. And throughout the bankruptcy  
10          you did not disclose your claim against AK Steel and  
11          when it was asked for.

12          A.   I did not know that I needed to  
13          because I didn't realize that was an asset.

14          Q.   When they asked you to list other  
15          suits that you were involved in the prior year, you  
16          did not list it there, either. Correct?

17          A.   I listed it as in suits that were  
18          actively pending against me because that was my  
19          understanding of the question.

20          Q.   And I'm looking at page two of the  
21          Statement Of Financial Affairs, which is in the  
22          middle of the section.

23               MR. KAMMER: Middle of what?

24               MS. PRYOR: Middle of the packet.

25               MR. KAMMER: What's it called?

1 MS. DONAHUE: Schedule what?

2 MS. PRYOR: It's Statement Of  
3 Financial Affairs and it's the second page  
4 of it.

5 MS. DONAHUE: Is it a particular  
6 schedule?

7 MS. PRYOR: It looks like this  
8 (indicating), Statement Of Financial  
9 Affairs.

10 MS. DONAHUE: Oh.

11 BY MS. PRYOR:

12 A. Listed page two at the top?

13 Q. Yes. It starts with actually number  
14 three, Payments to creditors.

15 A. Right.

16 MS. DONAHUE: Here it is.

17 Q. Number four requests you to list all  
18 suits and administrative proceedings to which you  
19 were a party within one year.

20 A. Right.

21 Q. You did not list AK Steel.

22 A. Right. For the reason I just made.

23 Q. Okay. And what was that reason?

24 A. Because I did not know that I needed  
25 to list anything that was pending -- or I thought I

1 was listing only things that were pending against me.  
2 I didn't know that that suit needed to be listed as  
3 part of this. I only became aware of that recently  
4 and that's why there has been no motion prior to to  
5 amend.

6 Q. Okay. And you didn't list it as an  
7 asset because?

8 A. Did not know it was.

9 Q. You didn't think it was an asset.

10 A. None of this was clarified by the  
11 attorney.

12 Q. But you did have an attorney  
13 throughout the proceedings.

14 A. Yes.

15 (Defendant's Exhibit 11  
16 was marked for identi-  
fication.)

17 Q. You've been handed what's been marked  
18 as Exhibit 11. Is that the discharge that you  
19 received from the bankruptcy?

20 A. Yes, I believe it is.

21 Q. And you had your debts cleared as a  
22 result of this?

23 A. A portion.

24 Q. What portion did you have cleared?

25 A. Approximately 50 percent of what was

1 listed and 50 percent I reaffirmed.

2 Q. How much was the amount that you were  
3 released from?

4 A. I think it was on the order of 30 or  
5 31,000.

6 Q. Okay.

7 A. Again, that's an approximation.

8 Q. What employment have you had since  
9 August 2001?

10 A. I worked --

11 Q. And you can go -- since you just did  
12 these interrogatories, Exhibit 9, if you want to  
13 refer to those. I think question number two lists --

14 MS. DONAHUE: Page five.

15 Q. Yes, page five. Is this an accurate  
16 list of --

17 A. Uh-huh.

18 Q. -- your employment? Okay.

19 A. December 2001 to February '02 I worked  
20 for Gwin Mortgage, again as a part-time loan officer.

21 In February of '02 to October '02 Ohio  
22 Heritage Mortgage. And from March of '02 to July of  
23 '06 I worked for Red Lobster, primarily as a  
24 bartender and as a back-up server.

25 From July '03 to May '04 I worked for



1 New York, New York Cabaret as floor security. From  
2 October '02 to December '03 ACF Mortgage, part-time  
3 loan officer again.

4 November '04 to January '05 Peerless  
5 Mill Inn. Again as a bartender and back-up server.  
6 And from March of '05 to December '05 Cognis Chemical  
7 as a chemical operator. And from April '06 to  
8 present Cargill, Incorporated as a process  
9 technician.

10 Q. Okay. Just ask you a couple questions  
11 about this.

12 A. Sure.

13 Q. The Gwin Mortgage. That was a  
14 part-time position?

15 A. Uh-huh.

16 Q. And you've got listed zero dollars per  
17 week.

18 A. Right. Didn't close any loans.  
19 Again, commission only. In fact, all of the mortgage  
20 positions were commission only.

21 Q. What did you do for money between  
22 December 2001 and February 2002?

23 A. I had part of my severance from  
24 Procter and Gamble still available.

25 Q. Okay.

1           A.    I had stocks that I had as well.  And  
2 my wife maintained a full-time job.

3           Q.    Okay.  And you resigned.  Why did you  
4 resign?

5           A.    Because I didn't think that that  
6 position was going to be ideal for me.  The office  
7 was in quite a state of chaos.

8           Q.    And you I guess moved over to Ohio  
9 Heritage Mortgage.

10          A.    Correct.

11          Q.    Did you have that position lined up  
12 before you resigned from Gwin?

13          A.    The same day, as a matter of fact.

14          Q.    Again, that was a part-time position?

15          A.    Yes.

16          Q.    And so you averaged about \$196 a week?

17          A.    Over the duration of those, I believe  
18 it's ten months.

19          Q.    Okay.  And why --

20          A.    Eight months.

21          Q.    Why did you resign from there?

22          A.    To go to ACF Mortgage, which was just  
23 going to be a better position.  They had a better  
24 opportunity for me to make money.  Plus it was a few  
25 miles from my home versus driving to Dayton.

1 Q. Okay. During the same time you were  
2 also working at Red Lobster.

3 A. Correct.

4 Q. Did you receive tips for that  
5 position?

6 A. Yes. They're claimed on our  
7 paychecks. That's included in the amount that you --

8 Q. Why were you terminated from there?

9 A. Because my position with Cargill  
10 involved me working rotating shifts. In that  
11 timeframe they received a new manager. That manager  
12 wanted me to commit to two regular days per week,  
13 which because of my rotation I could not do.

14 The managers prior to that were  
15 willing to work with my schedule and this particular  
16 gentleman was not.

17 Q. Okay. And you say you made \$176 a  
18 week.

19 A. Over the span of four and a half  
20 years, that's the average.

21 Q. That's the average. Okay. And New  
22 York New, York. That was floor security?

23 A. Uh-huh.

24 Q. This was part time as well?

25 A. Uh-huh.

1 Q. This was again while you were also  
2 working at --

3 A. ACF and Red Lobster.

4 Q. -- Red Lobster. Okay. Why did you  
5 resign from there?

6 A. The hours, really. They were just  
7 getting to be a little too much.

8 Q. How many hours a week did you work at  
9 New York, New York?

10 A. Let's see. It was on average about  
11 three days and 20 to 24.

12 Q. How many hours a week did you work for  
13 Red Lobster?

14 A. About the same.

15 Q. How many hours a week did you work for  
16 ACF Mortgage?

17 A. About 30, 32.

18 Q. Were you working for all three of  
19 those at the same time for a period of time?

20 A. Correct.

21 Q. And why did you leave ACF Mortgage?

22 A. There was a change in the mortgage  
23 industry as far as how business was being done and  
24 just a shift back away from the refinance market to  
25 the purchase market. And to get myself some

1 additional stability I elected to go back in to  
2 manufacturing.

3 Q. You did not yet have a job lined up?

4 A. No, I didn't.

5 Q. Why did you resign from Peerless Mill?

6 A. I was basically just seasonal.

7 Q. And why did you resign from Cognis?

8 A. There was a situation that one of the  
9 co-workers was breaking rules. I brought that to the  
10 attention of our manager. Several employees. And  
11 nothing was done. I just thought it was in my best  
12 interest to leave that position.

13 Q. Other than Red Lobster have you ever  
14 been terminated from a position?

15 A. No.

16 Q. Then you responded to a question about  
17 other places you applied. You said you applied at  
18 Miller Brewing Company.

19 A. Correct.

20 Q. Did you receive any call back on that?

21 A. No call back. Received a postcard  
22 that they had received my resume.

23 Q. And you said you applied for Circuit  
24 City as a manager.

25 A. Uh-huh.

1 Q. And you were interviewed?

2 A. Uh-huh.

3 Q. Why were you not offered that  
4 position?

5 A. Because they needed me to go to  
6 Virginia for an extended amount of time for training,  
7 and I couldn't commit to that because of my son's age  
8 and my wife's work schedule.

9 Q. How old is your son?

10 A. He's seven and a half now. He'll be  
11 eight in September.

12 Q. It says you applied at Wausau Paper?

13 A. Wausau, yeah.

14 Q. Why did you not get hired there?

15 A. Never received any information back  
16 from them.

17 Q. Okay. You list your wife as an  
18 individual who has knowledge about information about  
19 allegations in the complaint.

20 A. Uh-huh.

21 Q. What knowledge does she have?

22 A. Just my involvement in the suit. The  
23 fact that there was a charge of discrimination filed.  
24 She knows no particulars. She knows that I've left  
25 for meetings with my attorneys, this meeting today.

1 Q. Everything she knows is just from you  
2 telling her?

3 A. Just whereabouts. Correct.

4 Q. Is that right?

5 A. Correct.

6 (Defendant's Exhibit 12  
7 was marked for identi-  
8 fication.)

9 Q. You've been handed what's been marked  
10 as Exhibit 12. Are these copies of your tax returns  
11 and related documents?

12 A. Yes.

13 Q. Do you have copies of your 2005 and  
14 2006 tax return?

15 A. Yes. And they were provided.

16 MS. PRYOR: We do not have those. If  
17 we could get that updated, please.

18 MS. DONAHUE: Okay.

19 Q. What is GMRI on your W-2s?

20 A. That is the parent company for Red  
21 Lobster.

22 Q. I thought it might be. What about  
23 Bell South?

24 A. That's my wife's employer.

25 Q. Okay.

A. Or was.

1 Q. Other than your wife, Allen Roberts,  
2 have you talked to anyone else about your application  
3 at AK Steel?

4 A. Just the three gentlemen we mentioned  
5 earlier.

6 Q. What did you talk to them about?

7 A. During the time that I wasn't really  
8 hearing anything back I asked two of them, Rodney and  
9 Aaron, if they had heard anything with regard to a  
10 freeze on hiring.

11 Q. Did they tell you?

12 A. Any specifics. Nothing that they knew  
13 of.

14 Q. Anyone else that you've talked to  
15 about your application at AK Steel?

16 A. Not that I can recall.

17 Q. Do you ever have conversations and  
18 meetings with the other plaintiffs outside of  
19 anything you have with your attorneys?

20 A. No.

21 Q. You ever sent e-mails to the other  
22 plaintiffs?

23 A. No.

24 Q. Do you know any of the other  
25 plaintiffs?



1           A.    I know them.  I know Allen and  
2   Roderique from school.  Edward was actually out of  
3   school.  I knew his family.  Middletown is relatively  
4   small.  And the black community is obviously even  
5   smaller.

6                        So if we don't know each other  
7   personally, we know of each other's families, that  
8   type of situation.

9           Q.    Do you know anything about the other  
10   individual plaintiff's claims about why they believe  
11   they were not hired?

12           A.    Other than what's listed in the class.  
13   I haven't looked into their individual claims if  
14   that's what you're asking me.

15           Q.    Other than what's listed in the  
16   complaint?

17           A.    Right.

18                       MS. PRYOR:  Let's take a little short  
19   break here.  I think we're about done.

20                       (Recess taken:  1:00 PM - 1:03 PM.)

21           Q.    I just have a quick follow-up.

22                       When you talked about talking to them  
23   about a management position, were you specific about  
24   what kind of management position you were looking  
25   for?

1 A. No.

2 Q. You just asked about a management  
3 position?

4 A. Opportunity. Right.

5 MS. PRYOR: Okay. I have nothing  
6 further at this time. I do want, because  
7 it sounds like he has some documents that  
8 we have not been provided, I do want to  
9 hold it open in the event that something  
10 comes out of those documents.

11 MS. DONAHUE: Well, we spoke. We have  
12 the note and the taxes.

13 MS. PRYOR: Note, the taxes, the  
14 resumes, cover letter is what I have  
15 listed. I don't expect there's going to be  
16 anything, but just in case that note turns  
17 out to be more than --

18 THE WITNESS: I believe you guys  
19 should have my resume from that timeframe.  
20 I doubt that I still have it.

21 MS. PRYOR: And I would like the  
22 resumes up through current.

23 THE WITNESS: Okay.

24 MS. PRYOR: Okay.

25 MS. DONAHUE: That's it then. We have

1 no questions.

2 THE REPORTER: Signature to the  
3 deposition?

4 MS. DONAHUE: We'll read and sign.  
5 Thank you.

6

7

\_\_\_\_\_  
Ronald E. Sloan, Jr.

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(Deposition concluded at 1:04 PM.)

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## C E R T I F I C A T E

STATE OF OHIO :  
SS:  
COUNTY OF HAMILTON :

I, Tracy L. Allen, a duly qualified and commissioned notary public in and for the State of Ohio, do hereby certify that prior to the giving of his deposition, the within named Ronald E. Sloan, Jr. was by me first duly sworn to testify the truth; that the foregoing pages constitute a true and correct transcript of testimony given at said time and place by said deponent; that said deposition was taken by me in stenotypy and transcribed under my supervision; that I am neither a relative of nor attorney for any of the parties to this litigation, nor relative of nor employee of any of their counsel, and have no interest whatsoever in the result of this litigation. I further certify that I am not, nor is the court reporting firm with which I am affiliated, under a contract as defined in Civil Rule 28 (D).

IN WITNESS WHEREOF, I hereunto set my hand and official seal of office, at Cincinnati, Ohio, this 7th day of May, 2007.

MY COMMISSION EXPIRES: JULY 29, 2008. TRACY L. ALLEN, RPR  
NOTARY PUBLIC, STATE OF OHIO